



PATENT

Docket No. NV1932

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

OCT 08 2002

In re Patent Application of: BLAKE, et al.

) Group Art Unit: 1645

TECH CENTER 1600/2900

) Application No.: 09/825,769

) Examiner: Vanessa L. Ford

) Filing Date: April 4, 2001

)

) For: Method for the Production of Bacterial Toxins

Assistant Commissioner for Patents

Washington, D.C. 20231

HJG
JEM
10/10/02

Response to Restriction Requirement

Dear Sir:

In response to the restriction requirement mailed July 26, 2002, the period for response having been extended one month to September 26, 2002, the following amendments and remarks are submitted in connection herewith.

Applicants elect, with traverse, to prosecute the invention identified as Group II, claim 2. Applicants believe that the identified Groups I and II form part and parcel of one inventive concept, since the process of producing PT utilizes the *B. Pertussis* cysteine desulfinate knockout mutant of claim 1. Accordingly, no undue burden is seen by rejoining Group I with Group II. Reconsideration of the restriction requirement in view of the foregoing is earnestly solicited.

The Commissioner is hereby authorized to charge any fees that may be required, and to credit any overpayment, to Deposit Account No. 02-1437 (NV1932).

Respectfully submitted,

By

C. Joseph Faraci

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CERTIFICATE OF EXPRESS MAILING

I hereby certify that this response is being deposited with the United States Postal Service as Express Mail, Label No. EL861607992US, in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on September 26, 2002.

By:

Diane Branham



PATENT

Doct No. NV102

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Application No.: 09/825,769

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Filing Date: April 4, 2001

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For: Method for the Production of Bacterial Toxins)

#10/A
GM
10/10/02

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents

Washington, D.C. 20231

Sir:

Prior to examination of the above-referenced patent application, please amend the application as follows.

IN THE SPECIFICATION:

On page 32, please replace paragraph [0060] with the following rewritten paragraph:

--[0060] Miscellaneous: All materials were purchased from Sigma Chemical Co. and/or of the highest grade available. Total protein was quantified by Coomassie Protein Assay® (Pierce Chemical Co., Rockford, IL). Human IgG was used as the standard. *Bordetella pertussis* strain BP536, a spontaneous streptomycin resistant mutant of strain BP338, used in the transformation experiments was obtained from Dr.

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By: Diane Branham
Diane Branham